

## REMARKS

The references cited by the Examiner in the rejections of the claims along with the Examiner's comments have been diligently studied. Reconsideration of the above-identified patent application in view of the amendment above and the remarks below is respectfully requested.

Claims 1, 5, 8, 11 and 17 have been amended. Claims 7, 9, 10 and 16 have been canceled. New claims 20-22 have been added. Therefore, claims 1-6, 8, 11-15 and 17-22 are under active consideration.

Claims 1-6 and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,877,450 to N. Quin (hereinafter Quin). In support of the rejection, the Examiner commented,

Quin discloses:

Regarding claim 1, (a) a faceplate 32 (see fig 1); and  
(b) a storage device 40 coupled to said faceplate (see fig 1), said storage device being adapted to retain a portable electric appliance (see fig 1).

Regarding claim 2, wherein said storage device is removably coupled to said faceplate (see fig 1).

Regarding claim 3, wherein said faceplate is adapted to partially cover an electrical device 22 (see fig 1).

Regarding claim 4, wherein said faceplate is adapted to partially cover an electrical receptacle having one or more outlets (see fig 3).

Regarding claim 5, wherein said storage device is shaped to include an opening (opening for item 42, see fig 1).

Regarding claim 6, wherein said storage device comprises a front panel, a rear panel, a pair of side panels and a bottom panel which together define an interior cavity (see fig 1).

Regarding claim 9 wherein said faceplate includes a fastening device 46 (see fig 1).

This rejection is respectfully traversed.

With respect to claim 1 as amended herewith, applicant claims the combination of a faceplate and a storage device coupled to the faceplate, wherein the storage device is sized and shaped to retain a portable electric appliance. To the contrary, Quin does not disclose the

combination of a storage device and a faceplate in which the storage device is sized and shaped to retain a portable electric appliance, as will be explained further below.

In the first Office action, the Examiner contends that fig. 1 of Quin discloses a faceplate (32) and a storage device (40), wherein storage device (40) is adapted to retain a portable electric appliance. Applicant respectfully disagrees with the Examiner's contention. Specifically, the electrical cover plate box (10) shown in Fig. 1 of Quin shows a pouch (40) which is sized and shaped to retain a couple strips of paper (42). See col. 5, lines 3-5 and Fig. 1 of Quin. Applicant respectfully contends that pouch (40) in Quin is far too small in size to hold a portable electric appliance, as suggested by the Examiner. In fact, on page 8 lines 12-19 of the above-identified patent application, applicant lists the following as some examples of portable electric appliances which can be retained by the storage device of applicant's claimed invention: a rechargeable cellular telephone, a vacuum operated cleaning appliance, an electric shaver, a flashlight, a personal data assistant (PDA), a tape recorder and a dental cleaning appliance. As can be appreciated, it is readily apparent that pouch (40) in Quin is far too small in size to be able to hold any of the aforementioned examples of portable electric appliances. Since the principal object of applicant's invention was to provide the combination of a faceplate and a storage device coupled to the faceplate which is sized and shaped to retain a portable electric appliance, claim 1 can not be found to be anticipated by Quin.

With respect to claim 2, applicant respectfully contends that claim 2 is in allowable form for being dependent upon claim 1, which applicant respectfully contends is in allowable form for the reasons noted above. Additionally, in claim 2, applicant claims that the storage device is removably coupled to the faceplate. To the contrary, the lid portion (32) of the box (12) in Quin is not removably coupled to main portion (14). Rather, the lid portion (32) of the box (12) in

Quin is permanently affixed to main portion (14) by hinges (39). *See* col. 4, lines 62-67 of Quin. As can be appreciated, the ability of applicant's claimed invention to remove the storage device from the faceplate serves to reduce the obtrusiveness of the device when recharging of the electric appliance is not required, which is highly desirable.

With respect to claims 3 and 4, applicant respectfully contends that claims 3 and 4 are in allowable form for being dependent upon claim 1, which applicant respectfully contends is in allowable form for the reasons noted above.

With respect to claim 5, as amended herewith, applicant respectfully contends that claim 5 is in allowable form for being dependent upon claim 1, which applicant respectfully contends is in allowable form for the reasons noted above. Additionally, in claim 5, applicant claims that the storage device includes a pocket-shaped holder which includes a plurality of panels that together define an interior cavity, at least one of the panels being shaped to include an opening in communication with the interior cavity. To the contrary, Quin does not disclose a storage device of this construction. It should be noted that the pouch (40) in Quin (which was cited by the Examiner in the first Office action as being a storage device) appears to include a pair of panels which together define an interior cavity. However, neither of the panels which define pouch (40) in Quin appear to include an opening, as specified by applicant's claimed invention. Accordingly, claim 5 is not anticipated by Quin.

With respect to claim 6, as a first point, applicant respectfully contends that claim 6 is in allowable form for being dependent upon claim 1, which applicant respectfully contends is in allowable form for the reasons noted above. Additionally, in claim 6, applicant claims that the storage device comprises a front panel, a rear panel, a pair of side panels and a bottom panel which together partially define an interior cavity. To the contrary, Quin does not disclose a

storage device of this construction. Rather, pouch (40) in Quin (which was cited by the Examiner in the first Office action as being a storage device) appears to include only a front panel and a rear panel. See Fig. 1 of Quin. As can be appreciated, the fact that pouch (40) in Quin does not include a pair of side panels and a bottom panel (as specified in applicant's claimed invention) renders pouch (40) small in size, thereby limiting the size of the items which can be retained therein (i.e., to a pair of paper strips). As a result, claim 6 is not anticipated by Quin.

With respect to claim 9, applicant wishes to note to the Examiner that claim 9 is being canceled herewith.

Withdrawal of the rejection of claims 1-6, 9 under 35 U.S.C. 102(b) as being anticipated by Quin is respectfully urged.

On page 3 of the first Office action dated 5-18-04, the Examiner commented,

Claims 7-8, 10-19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reasons for the indication of the allowability of claims 7-8, 10-19 are the inclusion therein, in combination as currently claimed, of the limitation of the bottom panel of said storage device is shaped to include an opening (for claims 7-8), wherein said storage device includes at least one fastening device which is adapted to engage the fastening device on said faceplate (for claims 10-15), and wherein said faceplate includes a cover and a flange which are integrally formed together (for claims 16-19).

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

Accordingly, applicant wishes to note to the Examiner that claim 7 has been rewritten in independent form and renumbered as claim 20. Claim 8 has been amended to depend from new claim 20. Applicant also wishes to note that claim 10 has been rewritten in independent form and renumbered as claim 21. Claims 11-15 have been amended, as necessary, to depend from new

claim 21. Applicant further wishes to note that claim 16 has been rewritten in independent form and renumbered as claim 22. Claims 17-19 have been amended, as necessary, to depend from new claim 22.

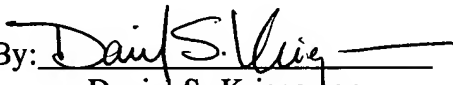
The prior art made of record and not relied upon by the Examiner is noted.

Allowance of the application with claims 1-6, 8, 11-15 and 17-22 is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Kriegsman & Kriegsman

By:   
Daniel S. Kriegsman  
Reg. No. 40,057  
665 Franklin Street  
Framingham, MA 01702  
(508) 879-3500

Date: 8-16-04

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Fee-Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8-16-04.

  
Daniel S. Kriegsman